

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HARRY ARTIS,

Petitioner, : 09 Civ. 9893
 : (BSJ) (JCF)

v.

WILLIAM F. HULIHAN,

Respondent. :

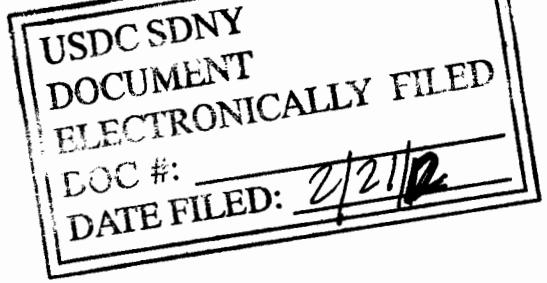
Order

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Before the Court are Plaintiff Harry Artis' objections to Magistrate Judge James C. Francis' Report and Recommendation ("R&R"), which recommends that the Petition be dismissed as time-barred. For the reasons provided below, the Court adopts the R&R, overrules Petitioner's objections, and dismisses the Petition.

The Court reviews de novo any portions of an R&R to which there are specific written objections. See Andino v. Fischer, 698 F. Supp. 2d 362, 368 (S.D.N.Y. 2010) (citations omitted). The Court adopts portions of an R&R that a party has not specifically objected to unless those portions are clearly erroneous or contrary to law. See id. (citations omitted).

Petitioner objects generally to Judge Francis' conclusion that Petitioner "failed to clear the high bar of demonstrating that extraordinary circumstances prevented him from filing the



petition." (Pet. Obj. at 3.) The remainder of Petitioner's objections reiterates the arguments made in his Memorandum in Support of Equitable Tolling of the Statute of Limitations, filed on September 28, 2011. Petitioner therefore has not raised any specific objections to the R&R. The Court finds that nothing in the R&R is clearly erroneous or contrary to law. Accordingly, the Court adopts the R&R in its entirety.

CONCLUSION

For the reasons provided above, Petitioner's objections are overruled and the Court adopts the R&R in its entirety. The Petition is DISMISSED.

SO ORDERED:



BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
February 21, 2012